

REMARKS

Claims 1-44 were pending in this application. Claims 1, 2, 4-11 and 13-16 have been rejected and claims 3 and 12 have been objected to. Claims 5, 9-13, and 15 are amended herein. New claims 33-44 have been added by this Amendment, therefore claims 1-16 and 33-44 are now pending. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Claims 17-32 have been canceled herein as being directed to an unelected invention. Applicant may file a divisional application at a later date.

Claims 1-2 and 4-5 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Takagi (U.S. Patent No. 6,472,685). Each of the other pending claims has been rejected as being obvious over Takagi, either alone or in combination with other reference(s). Applicant respectfully traverses this rejection.

Claim 1, as originally filed, specifically recites "growing a stressed semiconductor layer over the workpiece." It is respectfully submitted that Takagi does not teach or suggest this limitation.

The Office Action points to layer 12 when discussing the above-quoted limitation. Layer 12, however, is a silicon layer that has been deposited on a silicon substrate. Col. 3, lines 27-31 ("As shown in FIG. 3, a first silicon layer 12 (Si layer), a second silicon layer 13 containing carbon ( $\text{Si}_{1-y}\text{C}_y$  layer) and a third silicon layer 14 not containing carbon are stacked in this order by a UHV-CVD technique on a p-type silicon substrate 10."). There is no teaching or suggestion that formation of the layer 12 takes the form of "growing a stressed semiconductor layer." Further, such a feature is not obvious.

It is therefore respectfully submitted that claim 1 is allowable over the references of record.

Claim 2-8 depend from claim 1 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

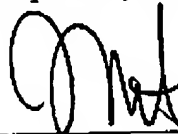
Claim 9, as amended herein, specifically recites "depositing a gate dielectric material directly on the layer of silicon and carbon." The reference by Takagi does not teach or suggest this limitation.

Claim 10-12, 15-16 and 33-39 depend from claim 9 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Claims 33-44 are added herein. No new matter has been added. It is respectfully submitted that each of the newly added claims is allowable over the references of record. For example, claim 40 specifically recites "epitaxially growing a layer of semiconductor material over the workpiece, the semiconductor material comprising silicon and carbon, silicon and germanium, or silicon, carbon and germanium; [and] forming a layer of silicon and carbon over the layer of semiconductor material." Allowance of the newly added claims is respectfully requested.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Ira S. Matsil, Applicant's attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. No fee is believed due in connection with this filing. However, should one be deemed due, the Commissioner is hereby authorized to charge Deposit Account No. 50-1065.

Respectfully submitted,



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